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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,354	02/10/2004	Richard M. Delery	BAGS.102240	1154
5251	7590	08/24/2005	EXAMINER	
SHOOK, HARDY & BACON LLP 2555 GRAND BLVD KANSAS CITY,, MO 64108			IZAGUIRRE, ISMAEL	
			ART UNIT	PAPER NUMBER
			3765	

DATE MAILED: 08/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/775,354	Applicant(s) DELERY ET AL.	
	Examiner Ismael Izaguirre	Art Unit 3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 10, 12, 15, 16 and 20 is/are rejected.
- 7) ☒ Claim(s) 6-9, 11, 13, 14 and 17-19 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### **CLAIMS**

#### ***Summary***

Claims 1,10 and 16 are the independent claims under consideration in this Office Action.

Claims 2-9,11-15 and 17-20 are the dependent claims under consideration in this Office Action.

#### ***Claim Rejections - 35 U.S.C. § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1,5,10,15,16 and 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Brown (2,746,186).

Brown teaches an ironing board comprising a front section and a rear section hinged to each other. The front section 11 has flat upper surface, which coincides with the rear section 10 upper surface for providing a pressing surface. The front surface is hinged 21 to the rear section and when the front surface is folded over for storage onto the rear section the sections lie substantially against one another (figure 4). Brown, further teaches a clamping mechanism 14,15,16 and 19 for releasably clamping the ironing board onto an edge of a piece of furniture. The lugs 14 and cushions 18 in

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cooperation with the brace 15 are clamped onto the supporting surface by an adjustable arm 17.

Claims 10,15,16 and 20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Held (916,554).

Held teaches an ironing board comprising a front section and a rear section hinged to each other. The front section 2 has flat upper surface, which coincides with the rear section 1 upper surface for providing a pressing surface. The front surface is hinged 8 to the rear section, which allows the front section to swing over the rear section (figure 3). Held, further teaches a clamping mechanism 19 for releasably clamping the ironing board onto an edge of a piece of furniture. The clamp comprises an adjusting means 24 for adjusting the clamping force of the clamp onto the support.

Claims 1-4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Nestor (2,554,446).

Nestor teaches an ironing board and table combination where the ironing board comprises a front section and a rear section hinged to each other. The front section 26 has flat upper surface, which coincides with the rear section 24 upper surface for providing a pressing surface. The front surface is hinged 27 to the rear section and when the front surface is folded under for storage onto the rear section the sections lie substantially against one another (figure 4). The front section is held in place by a releasable means 40, which also forms part of a linearly slidable iron rest 41 (figures 1 and 3, for example).

Claims 10,12 and 15 are rejected under 35 U.S.C. § 102(b) as being anticipated by Perry (990,586).

Perry teaches an ironing board comprising a flat upper surface (figure 1) for ironing articles thereon. The ironing board further includes a clamp B,C,F,P with an overcenter linkage adjusting means F and P for releasably clamping the ironing board onto the support and adjusting a force applied thereto. An iron rest is provided at the rear of the ironing board for supporting an iron thereon.

#### ***ALLOWABLE SUBJECT MATTER***

Claims 6-9,11,13,14 and 17-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***PERTINENT CITATIONS***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hofacker and Sebold illustrate ironing boards including adjustable clamps for clamping the ironing boards to supports. Kay et al. Illustrate an ironing board including foldable front and rear legs. Munson illustrates an ironing board including a slidable iron rest. Hansen illustrates a foldable ironing board including a bar hinge for folding over the front part to the rear part of the ironing board.

#### ***INQUIRIES***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Izaguirre whose telephone number is (571) 272-4987. The examiner can normally be reached on M-F (8:30-6:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on (571) 272-4983. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ismael Izaguirre  
Primary Examiner  
Art Unit 3765